

Am ndm nt to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (currently amended) A method of clearing conditions for closing a real estate transaction, including the steps of:

registering with a closing server digital identifications of parties to a real estate transaction;

~~entering~~ building a transaction database including a plurality of agreed closing ~~instructions~~ conditions for the real estate transaction, ~~including a plurality of conditions;~~

~~repeatedly receiving the digital identification from one~~ under control of the closing server, repeatedly interacting with one or more of the parties identified by one or more of the registered digital identifications and receiving an instruction to clear ~~mark~~ one or more conditions ~~as cleared~~; and

closing the real estate transaction ~~when~~ after all of the conditions have been ~~marked as cleared~~.

2. (currently amended) The method of claim 1, wherein the closing ~~instructions~~ conditions identify the party authorized to issue an instruction to clear ~~mark~~ a particular condition ~~as cleared~~.

3. (currently amended) The method of claim 2, wherein the receiving step further includes determining whether the instruction to clear ~~mark~~ the condition ~~as cleared~~ is tendered by the authorized party.

4. (currently amended) The method of claim 2, wherein the closing ~~instructions~~ conditions set deadlines for clearing ~~marking~~ the condition ~~as cleared~~.

5. (currently amended) The method of claim 4, wherein the receiving step further includes determining whether the instruction to clear ~~mark~~ the condition as ~~cleared~~ is timely tendered by the authorized party.

6. (currently amended) The method of claim 4, further including interacting with one of the parties identified by one of the registered ~~the step of receiving a digital~~ identifications and receiving an instruction to extend a deadline for clearing ~~marking~~ the condition ~~as cleared and a digital identification and concurrence in extending the~~ deadline.

7. (currently amended) The method of claim 6, wherein the receiving step further includes determining whether the instruction to clear ~~mark~~ the condition as ~~cleared~~ is timely tendered by the authorized party.

8. (currently amended) The method of claim 4, further including the steps of determining whether the deadlines for marking the agreed closing conditions as cleared have expired and sending a cancellation notice to the parties when the agreed closing conditions have not been timely cleared. ~~creating an additional condition corresponding to each of the expired conditions.~~

9. (original) The method of claim 1, wherein the closing step includes causing a deed to be recorded.

10. (currently amended) The method of claim 9, wherein the deed is digitally ~~notarized~~ signed and electronically recorded.

11. (currently amended) A method of clearing conditions for closing a real estate transaction, including the steps of:

registering with a closing server digital identifications of parties to a real estate transaction;

~~entering building a transaction database including~~ a plurality of agreed closing ~~instructions conditions~~ for the real estate transaction, including a title insurance condition and a plurality of other conditions;

~~repeatedly receiving the digital identification from one~~ under control of the closing server, repeatedly interacting with one or more of the parties identified by one or more of the registered digital identifications and receiving an instruction to clear ~~mark~~ one or more conditions ~~as cleared~~; and

closing the real estate transaction ~~when~~ after all of the conditions have been ~~marked as cleared~~.

12. (original) The method of claim 11, wherein the title insurance condition includes a form of title insurance and endorsements required.

13. (original) The method of claim 11, further including the step of electronically receiving a title insurance commitment.

14. (original) The method of claim 13, further including the step of electronically sending a title insurance policy order.

15. (currently amended) The method of claim 14, wherein the title insurance condition comprises a title order condition, a title commitment condition and a title policy condition, further including the steps of comparing the electronic title insurance commitment to the electronic title insurance policy order and clearing ~~marking~~ the title order condition ~~as cleared~~.

16. (currently amended) The method of claim 13, wherein the electronic title insurance commitment includes exceptions, further including the steps of receiving

consent from a buying party to the exceptions and ~~marking~~ the title insurance condition as cleared.

17. (original) The method of claim 13, wherein the electronic title insurance commitment includes exceptions, further including the steps of marking exceptions to which a buying party objects and reporting the marked exceptions to a selling party.

18. (currently amended) The method of claim 17, further including the steps of the selling party indicating agreement to correct at least one of the marked exceptions and clearing ~~marking~~ the title insurance condition ~~as cleared~~.

19. (currently amended) The method of claim 15, wherein the electronic title insurance commitment includes exceptions, further including the steps of:
marking exceptions to which a buying party objects;
reporting the marked exceptions to a selling party;
the selling party indicating agreement to correct the marked exceptions; and
clearing ~~marking~~ the title commitment condition ~~as cleared~~.

20. (original) The method of claim 12, wherein the closing step includes causing a deed to be recorded.

21. (currently amended) The method of claim 20, wherein the deed is digitally ~~notarized~~ signed and electronically recorded.

22. (currently amended) The method of claim 15, wherein the agreed closing ~~instructions~~ conditions include a purchase price, further including the steps of:
receiving an updated title insurance commitment covering a sale of real property to the buying party, including conditions to issuance; and
clearing ~~marking~~ the title policy condition ~~as cleared~~ if the conditions to issuance

do not include any conditions other than recordation of a deed conveying the real property to the buying party, payment of a title insurance premium, payment of the purchase price and payment of a real property tax.

23. (currently amended) The method of claim 19, further including the steps of: receiving an updated title insurance commitment, including a set of updated exceptions;

determining a set of permitted exceptions which consist of the exceptions in the title insurance commitment excluding the marked exceptions; and

clearing ~~marking~~ the title policy condition ~~as cleared~~ if the set of updated exceptions is a subset of the set of permitted exceptions.

24. (currently amended) A method of clearing conditions for closing a real estate transaction, including the steps of:

registering with a closing server digital identifications of parties to a real estate transaction;

~~entering~~ building a transaction database including a plurality of agreed closing instructions ~~conditions~~ for the real estate transaction, ~~comprising a plurality of conditions~~ including one or more passive conditions and corresponding passive condition deadlines, wherein the passive conditions are satisfied by the passage of time unless a further step is taken; and

closing the real estate transaction when all of the conditions have been ~~marked~~ as cleared by the closing server.

25. (currently amended) The method of claim 24, further including the step of clearing ~~marking as cleared~~ a passive condition after the passive condition deadline has passed.

26. (cancelled).

27. (original) The method of claim 24, wherein the closing step includes causing a deed to be recorded.

28. (currently amended) The method of claim 27, wherein the deed is digitally ~~notarized~~ signed and electronically recorded.

29. (currently amended) A method of clearing conditions for closing a real estate transaction, including the steps of:

registering with a closing server digital identifications of parties to a real estate transaction;

~~entering building a transaction database including~~ a plurality of agreed closing ~~instructions conditions~~ for the real estate transaction, ~~including a plurality of conditions~~;

establishing an electronically accessible trust account;

repeatedly receiving a digital identification from one of the parties and an instruction to clear ~~mark~~ one or more conditions ~~as cleared~~; and

receiving and disbursing funds from the electronically accessible trust account to settle accounts at closing.

30. (original) The method of claim 29, further including the step of causing a deed to be recorded.

31. (currently amended) The method of claim 30, wherein the deed is digitally ~~notarized~~ signed and electronically recorded.

32. (currently amended) The method of claim 29, wherein the agreed closing ~~instructions~~ conditions include the name and contact information for an existing lender and an instruction to payoff an existing loan owed ~~by a seller~~ to the existing lender, further including the steps of:

electronically sending the existing lender a request for payoff information for the existing loan;

electronically receiving from the existing lender a response to the request for payoff information for the existing loan, said response specifying an amount of money due;

debiting ~~the seller~~ a borrower for the amount of money due; and

disbursing to the existing lender at closing funds equal to the amount of money due.

33. (currently amended) The method of claim 29, wherein the agreed closing ~~instructions~~ conditions include the name and contact information for an existing lender and an instruction to assume an existing loan owed by a seller to the existing lender, further including the steps of:

electronically sending the existing lender a request for balance information for the existing loan;

electronically receiving from the existing lender a response to the request for balance information for the existing loan, such response specifying an amount of money due;

debiting the seller for the amount of money due; and

crediting the buyer for the amount of money due.

34. – 49. (cancelled).

50. (new) The method of claim 6, further including interacting with another of the parties, identified by another of the registered digital identifications, and receiving a concurrence in the instruction to extend the deadline.